

WASHINGTON POST  
26 October 1979

# More Break-Ins Revealed In Scientology Spy Case

By Timothy S. Robinson

Washington Post Staff Writer

Church of Scientology spies committed scores of break-ins at government offices—including those of the Department of Justice and the Internal Revenue Service—in Washington and elsewhere to obtain secret files containing information about the church, according to evidence in federal court here yesterday.

Church operatives also infiltrated government agencies such as the Drug Enforcement Administration and the Coast Guard intelligence service, to conduct their burglary, bugging and spying operation, the evidence said.

The Scientology burglars would be given awards for their performances by the church, the evidence asserted.

The plot was directed by the church's highest officials in the United States and England, including Mary Sue Hubbard, wife of the church's founder, the evidence said. The illegal operations occasionally also were used to gather information about other groups, including the Unification Church of the Rev. Sun Myung Moon and the fundamentalist-oriented Bob Jones University, the government added.

The evidence, filed before U.S. District Judge Charles R. Richey, provides the complete details of the government's long-pending criminal case against the church's operatives.

It was filed as part of a rare procedure in a criminal case in which, instead of going through a lengthy trial, the defendants and the government basically agree to the general facts of the case and allow a judge to issue his findings on the basis of a stipulated record. The nine defendants in this case preserved their right

to have an appeals court review the legality of government's search of church property.

The defendants, including Hubbard, are scheduled to appear before Judge Richey at 10 a.m. today to hear the judge's final ruling in the case. He has previously enforced an agreement between the government and the Scientologists that states the defendants will be found guilty in that proceeding.

The president of the Church of Scientology, Rev. Kenneth Whitman, issued a statement last night saying it has "always been official church policy to uphold the laws of the land. The church did not and does not condone violations of this policy."

He said the nine defendants all were part of one of 21 departments within the church, and the church "cannot speak" for them in the criminal case.

The written presentation of evidence to the judge totaled 288 pages of legal-size paper, and was supported by a foot-high stack of documents seized in government raids on church locations two years ago.

While the evidence contains no allegations of crimes not mentioned in the government's indictment against the church, it provides huge amounts of details and a new perspective of the scope of the church's spying campaign against the government.

The evidence details how the church placed spies in the U.S. Department of Justice, the Internal Revenue Service, Coast Guard intelligence and the Drug Enforcement Administration, among other agencies. It tells of repeated break-ins, the use of an elaborate code system to transmit the results of the burglaries, and furtive meetings in low-priced Arlington restaurants.

In one short period at the IRS, the Scientology operative photocopied a 10-foot high stack of documents, the government said. At another point, the operatives were told to rifle IRS files in a campaign to "use any method at our disposal to gain our non-profit [tax exempt] status," the government continued.

The plan called for the documents obtained in the burglaries—including a break-in at the Deputy Attorney General's office in the main Justice Department building—to be used for several purposes, including being leaked to the press to embarrass the agencies involved.

In one instance, the church placed an electronic listening device in the conference room of the chief counsel's office of the IRS in the main IRS building on Constitution Avenue NW, the government said.

A church operative from Los Angeles was flown to the District with a bugging device, the government continued. The spy broke into the conference room and plugged the device into a wall socket to monitor a planned discussion of IRS actions involving Scientology, the government said.

-As the meeting was in progress, three members of the Church "overheard and taped the entire meeting over the FM radio" of their car parked in the driveway of a nearby Smithsonian Institution museum, the evidence continued.

After the Nov. 1, 1974, meeting ended, the church spy reentered the room, removed the bugging device, and took papers that had been left there by participants in the meeting, the government said. Apparently, building guards did not unduly impede this or any other operation described in the evidence.

According to documents obtained by the government under search warrants, the church itself recognized the illegality of bugging conversations.

A church official in the United States wrote to a church official in England that "we best be careful with this transcript as even in the distant future in the hands of the enemy the repercussions would be great. There are new laws on this federally and a strong post-Watergate judicial climate," the government evidence disclosed.

Another seized church document outlines the view of church members that they knew they were committing serious crimes, the government continued. The evidence quotes at length from the document, which discusses one member's legal research and concludes that "the stealing of government documents and the copying of them on government photocopy machines 'is a felony.'"

One internal church memo quoted by the government lists burglaries the Scientologists had committed at the Department of Justice, the Internal Revenue Service, the Treasury Department's office of international operations, the Post Office, the Labor Department's national office, the Federal Trade Commission, the U.S. Customs Building, the Drug Enforcement Administration, the American Medical Association's law firm offices here, and the Washington office of a law firm representing the St. Petersburg Times.

The government also quoted another Scientologist document suggesting a list of 136 agencies—including the Central Intelligence Agency, the FBI, and several U.S. embassies and consulates abroad—to be infiltrated in the future. There is no indication that plan was carried out.

Written in a narrative, chronological form, the compilation of evidence against the nine church members list break-in after break-in, beginning with a church directive that such tactics were acceptable to locate government documents because the "legal route is at best lengthy."

The church has said in the past that any actions its members might have taken were a result of more than 20 years of harassment of the church by the same government agencies they are now accused of infiltrating. The church has filed numerous civil lawsuits under the Freedom of Information Act to obtain files it said have been kept on the organization.

The government said in its evidence that the program of burglaries was often used to circumvent the normal course of those lawsuits.

The evidence cites one occasion when a government attorney filed an index with a court to show what documents were being withheld under formal claims of FOIA exemptions, only to have the Scientology burglars use the same document to help them conveniently and covertly snatch the material from his office files.

When some government agencies moved files to more secure, locked areas the Scientologists again brought in a member from Los Angeles to teach the spies here how to use devices to pick locks, the evidence continued.

The operation produced such mounds of materials at one point that the church complained internally about the cost of photocopying materials, the government said. The spies then focused on using government photocopying machines instead, the evidence continued.

As with most spy operations, this one had its lighter moments. At one point, the burglars were caught in the act by a cleaning woman at the IRS who became suspicious and called the security guard. The security guard was satisfied with the burglars' faked IRS credentials and convinced the cleaning woman to open the door for them, and she did so on several subsequent occasions.

The evidence recounts another incident in which a church spy worked for 1½ hours unsuccessfully attempting to pick a lock at the IRS, and then hit the door in exasperation. The door popped open with the single blow, the evidence said.

Much of the church's spying activities were focused on the IRS, which has been locked in combat with the church for years over its tax status. At one point, according to the evidence, seven different scientologists possessed faked IRS credentials they made by breaking into the room in which such credentials routinely were made for actual IRS employees.